

Docket No.: P33037

## DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

"COMPOUNDS HAVING AFFINITY AT 5HT<sub>2C</sub> RECEPTOR AND USE THEREOF IN THERAPY"

the specification of which (check one)

☐ is attached hereto.

☒ was filed on 17 April 2003  
and was amended on

as Serial No PCT/EP03/04180.  
(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Number	Country	Filing Date	Priority Claimed
0209029.8	GB	19 April 2002	YES

I hereby claim the benefit under Title 35, United States Code, Section 119(c) of any United States provisional application(s) listed below.

Application Number	Filing Date
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Serial No.	Filing Date	Status
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<sup>100</sup>  
Full Name of Inventor: Federica DAMIANI

Inventor's Signature: Federica Damiani Date: 29/1/2004

Residence: Verona, Italy ITK

Citizenship: Italian

Post Office Address: GlaxoSmithKline  
Corporate Intellectual Property - UW2220  
P.O. Box 1539  
King of Prussia, Pennsylvania 19406-0939

<sup>200</sup>  
Full Name of Inventor: Dieter HAMPRECHT

Inventor's Signature: D. Hamprecht Date: 19/11/2004

Residence: Verona, Italy ITK

Citizenship: German

Post Office Address: GlaxoSmithKline  
Corporate Intellectual Property - UW2220  
P.O. Box 1539  
King of Prussia, Pennsylvania 19406-0939

<sup>300</sup>  
Full Name of Inventor: Albert Andrzej JAXA-CHAMIEC

Inventor's Signature: A. Chamiec Date: 17 Jan 2005

Residence: Verona, Italy ITK

Citizenship: British

Post Office Address: GlaxoSmithKline  
Corporate Intellectual Property - UW2220  
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King of Prussia, Pennsylvania 19406-0939

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Inventor's Signature: Fabrizio Micheli Date: 19.11.04

Residence: Verona, Italy ITV

Citizenship: Italian

Post Office Address: GlaxoSmithKline  
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P.O. Box 1539  
King of Prussia, Pennsylvania 19406-0939

500  
Full Name of Inventor: Alessandra PASQUARELLO

Inventor's Signature: Alessandra Pasquello Date: 20/12/2004

Residence: Verona, Italy ITX

Citizenship: Italian

Post Office Address: GlaxoSmithKline  
Corporate Intellectual Property - UW2220  
P.O. Box 1539  
King of Prussia, Pennsylvania 19406-0939

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Full Name of Inventor: Giovanna TEDESCO

Inventor's Signature: Giovanna Tedesco Date: 02/12/2004

Residence: Verona, Italy IT

Citizenship: Italian

Post Office Address: GlaxoSmithKline  
Corporate Intellectual Property - UW2220  
P.O. Box 1539  
King of Prussia, Pennsylvania 19406-0939

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PTO/SB/81 (06-04)

Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office: US DEPARTMENT OF COMMERCE

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<b>POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM</b>	<b>Application Number</b>	10/511,769
	<b>Filing Date</b>	17 April 2003
	<b>First Named Inventor</b>	Damiani, et al.
	<b>Title</b>	Compounds Having Affinity...
	<b>Art Unit</b>	
	<b>Examiner Name</b>	
	<b>Attorney Docket Number</b>	P33037

I hereby appoint:

☒ Practitioners associated with the Customer Numbers. 20462

Or

☐ Practitioner(s) named below:

Name	Registration Number
------	---------------------

As my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The address associated with the above-mentioned Customer Number:

Or

☒ The address associated with Customer Number 20462

Or

☐ Firm or Individual Name:

Address:

Address:

City:

State:

Zip:

Country:

Telephone:

Fax:

I am the:

☐ Applicant/Inventor:☒ Assignee or record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Signature:

Date: 29 April 2005

Name: Stephen Venetianer

Telephone: 610-270-5040

Title and Company: Attorney and Authorized Official, Glaxo Group Limited

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of: forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is essential to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Glaxo Group Limited

Application No./Patent No.: 10/511,769 Filed/Issue Date: 17 April 2003

Entitled: Compounds Having Affinity At 5HT<sub>2C</sub> Receptor And Use Thereof In Therapy

Glaxo Group Limited, a corporation, states that it is:

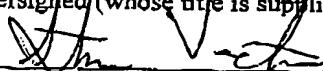
1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ % in the patent application/patent identified above by virtue of either;
- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which copy thereof is attached.
- OR
- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

29 April 2005

Date

STEPHEN VENETIANER

Printed or Typed Name

610-270-5040

Telephone Number

Attorney and Authorized Official

Title

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is essential to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commission for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**ASSIGNMENT**

WHEREAS I/WE, Federica DAMIANI, Dieter HAMPRECHT, Albert Andrzej JAXA-CHAMIEC, Fabrizio MICHELI, Alessandra PASQUARELLO, Giovanna TEDESCO, of GlaxoSmithKline SpA of Via Alessandro Fleming 2, 37135 Verona, Italy (hereinafter called "the inventor(s)") have invented or discovered "COMPOUNDS HAVING AFFINITY AT 5HT2C RECEPTOR AND USE THEREOF IN THERAPY" (hereinafter called "the invention") for which a patent application No. 0209029.8 was filed on 19 April 2002 in the United Kingdom and for which an international patent application is now being filed designating the United States of America. I/we hereby authorize and request that the filing date and PCT International application, when known, be inserted here in parentheses;

(PCT Application No. PCT/EP03/04180 filed 17 April 2003)

WHEREAS the invention, being made in the course of my employment, belongs to my/our employer, namely **GLAXOSMITHKLINE SpA**, a company incorporated in Italy whose registered address is Via Alessandro Fleming 2, 37100 Verona, Italy, and

**GLAXOSMITHKLINE SpA** have authorised and requested my/our making the application, and

WHEREAS **GLAXO GROUP LIMITED** a company incorporated in England and Wales whose registered address is Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex UB6 0NN, England, is desirous of acquiring from **GLAXOSMITHKLINE SpA** the whole right, title and interest in and to the invention and the application in respect of the United States of America;

NOW, THEREFORE, to all whom it may concern be it known that I/we, the inventor(s), hereby confirm the ownership by **GLAXOSMITHKLINE SpA** of the invention and the application and, if under the law of the United States of America I/we the inventor(s) have any ownership right, title and interest in the invention and the application (which I/we do not believe to be the case and claim no

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ownership right, title or interest in the invention and the application based on the law of the United Kingdom), I/we the inventor(s) nevertheless hereby assign and transfer such ownership right, title and interest in and to the invention and the application to **GLAXOSMITHKLINE SpA** and **GLAXOSMITHKLINE SpA** in turn hereby assigns and transfers to **GLAXO GROUP LIMITED** its whole right, title and interest in and throughout the United States of America in and to the invention and the application and in and to any priority rights in respect of the invention and the application and in and to any divisional application, continuation or continuation in part application thereof, and in and to any extension or re-issue thereof, and I/we the inventor(s) and **GLAXOSMITHKLINE SpA** hereby authorise and request any patent arising therefrom in the United States of America be issued to **GLAXO GROUP LIMITED**.

AND **GLAXOSMITHKLINE SpA** hereby, and I/we the inventor(s) for myself/ourselves and my/our respective executors and legal representatives hereby, agree to provide information and make execute and deliver any and all other instruments in writing, and any and all further acts, applications, papers, affidavits, assignments and other documents which may be possible and are necessary or desirable to more effectually secure to and vest in **GLAXO GROUP LIMITED**, its successors and assigns, the whole right, title and interest in and to the invention and the application hereby assigned and transferred in respect of the United States of America.

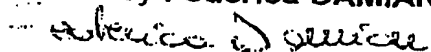
IN WITNESS whereof and with effect from 19 April 2002 the inventor(s) and **Peter John GIDDINGS** as Attorney of **GLAXOSMITHKLINE SpA** by virtue of a Power of Attorney granted by **GLAXOSMITHKLINE SpA** have hereunto set their respective hands.

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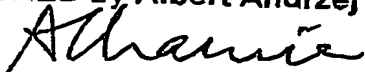
SIGNED by Federica DAMIANI,

Date: 29/11/2004

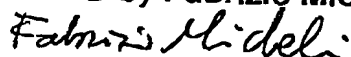
SIGNED by Dieter HAMPRECHT

Date: 19/11/2004

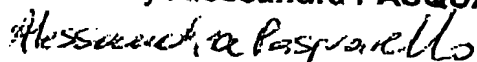
SIGNED by Albert Andrzej JAXA-CHAMIEC

Date: 17 Jan 2005

SIGNED by Fabrizio MICHELI,

Date: 19.11.04

SIGNED by Alessandra PASQUARELLO

Date: 20/12/2004

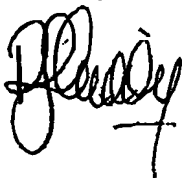
SIGNED by Giovanna TEDESCO

Date: 02/12/2004

SIGNED by Peter John GIDDINGS

as the Attorney of

GLAXOSMITHKLINE SPA

Date: 24/01/2005